

**HEARING AND SPEECH EXAMINING BOARD
MADISON, WI
MINUTES
FEBRUARY 2, 2004**

PRESENT: Joseph Hulwi; Gerard Kupperman, Ph.D.; Alma Peters; William Starke;
Michael Thelen, Au.D.; Stephen Harvey, M.D. (arrived at 1:50 p.m.)

EXCUSED: Mae Cash

STAFF PRESENT: Tom Ryan, Bureau Director; Ruby Jefferson-Moore, DRL legal counsel;
Pamela Meicher, Program Assistant; DOE Staff

CALL TO ORDER

Gerard Kupperman, Chair, called the meeting to order at 1:32 p.m. A quorum of 6 members was present.

AGENDA

Amendments/Additions to the agenda:

- 1) Case Status Report
- 2) CE Approval Request for Center for the Deaf & Hard of Hearing
- 3) Total Pending Cases by Team and by Status
- 4) Score Results – February 2, 2004 HIS Examination
- 5) CE Approval for Covenant Rehab Services

MOTION: Joseph Hulwi moved, seconded by William Starke, to approve the agenda as amended. Motion carried unanimously.

MINUTES (12-01-03)

Amendments:

Page 2 – Add Wisconsin Alliance of Hearing Professions to the third paragraph under “Term Status of Board Members”

Page 3 – Delete the last sentence.

MOTION: Michael Thelen moved, seconded by Joseph Hulwi, to approve the minutes of 12-01-03 as amended. Motion carried unanimously.

ELECTION OF OFFICERS

MOTION: Joseph Hulwi moved, seconded by William Starke, in favor of electing Gerard Kupperman as Chair of the Hearing and Speech Examining Board. Motion carried unanimously.

MOTION: Michael Thelen moved, seconded by William Starke, in favor of electing Joseph Hulwi as Vice Chair of the Hearing and Speech Examining Board. Motion carried unanimously.

MOTION: William Starke moved, seconded by Terrence Greenleaf, in favor of electing Michael Thelen as Secretary of the Hearing and Speech Examining Board. Motion carried unanimously.

ADMINISTRATIVE REPORT

Board Appointment – Terrence M. Greenleaf, HIS:

Chair Gerald Kupperman introduced and welcomed Terrence Greenleaf to the Board.

2004 Board Meeting Dates:

The Board reviewed 2004 meeting dates. It was noted that meeting dates were changed back to Mondays from Tuesdays. The Board discussed the August 2, 2004 examination date. The Board has a concern that the examination is too early in the calendar year for the graduates of Madison to procure jobs and to know that they need to take the examination. After discussion the Board requested that the Bureau send examination dates to the Chairs of the School of Communicative Disorders at UW Madison and UW Stevens Point.

MOTION: Michael Thelen moved, seconded by Alma Peters, in favor of approving 2004 meeting dates. Motion carried unanimously.

Regulatory Digest – status:

Tom Ryan reported that the Regulatory Digest will be published; however, the format and date has not been decided. Two articles for consideration are continuing education and law changes for the profession.

MOTION: Joseph Hulwi moved, seconded by Michael Thelen, in favor of delegating Alma Peters as the Board liaison to work with the Department on Regulatory Digest articles. Motion carried unanimously.

Hotel Reservations – Pamela Meicher:

Pamela Meicher reminded Board members to cancel their hotels if they do not plan on staying overnight. Hotel reservations have been made for all scheduled meetings in 2004. Cancellations must be made 24 hours prior to arrival time to avoid a penalty charge. Ms. Meicher also stated that the Department will be charged for no-shows and will charge for invoices received on non-cancellations.

Building Renovation and move – status:

The Bureau Director updated the Board on the progress of the renovation. He indicated that requests have been given to DOA for Board room furniture and equipment and that the building committee continues to meet on a regular basis.

Student Presentation:

Dr. Kupperman is currently working on a power point presentation to be delivered to university students explaining the requirements for licensure and the difference between certification and licensure. Alma Peters volunteered to present and work with Dr. Kupperman to finalize the presentation.

MOTION: Joseph Hulwi moved, seconded by Michael Thelen, in favor of approving the concept of the presentation to any group that wishes to listen, pending approval of the content by Dr. Thelen and Alma Peters. Motion carried unanimously.

2004 Annual Convention – Wisconsin Speech-Language Pathology and Audiology Association:

MOTION: Michael Thelen moved, seconded by Steven Harvey, in favor of sending Dr. Thelen and Alma Peters as representatives of the Board, to the next convention of the Wisconsin Speech-Language Pathology and Audiology Association in Green Bay, WI, April 22, 2004. Motion carried unanimously.

EAR MOLD EXAMINATION SUBJECT OPTIONS

The Board discussed ear mold examination subject options. Because some ears may get sore, the Board would like to find other options for this examination. Options include: examination students serving as ear mold candidates for other students; or the examination candidate bringing their own ear mold candidate with them to the examination. It was noted that Minnesota requires examination candidates to bring their own subject for the ear mold session. After discussion, the Board decided that examination candidates will be asked to bring their own ear mold examination subject to the May examination. The Department will provide backup subjects in the event that candidates do not bring a simulated patient to the examination.

MOTION: Michael Thelen moved, seconded by Joseph Hulwi, in favor of requiring that each potential licensee bring their own simulated patient for the May ear mold examination. Motion carried unanimously.

SONGBIRD SALES ANNOUNCEMENT - DISCUSSION

Dr. Kupperman provided a Songbird Sales hearing aid announcement that he received in the mail. The announcement refers to consumers being able to purchase over-the-counter hearing aids. It is a violation of Wisconsin Statutes to sell hearing aids over the counter. DRL legal counsel to the Board suggested that this announcement be referred to DOE for investigation.

MOTION: Joseph Hulwi moved, seconded by Michael Thelen, in favor of referring Songbird Hearing, Inc., to DOE to investigate a possible complaint for over the counter sales of ear molds. Motion carried unanimously.

**STRATEGIES FOR WORKING WITH THE UNIVERSITIES
RE: THE AUD - DISCUSSION**

Discussion ensued regarding the ASHA requirement to move to an AuD program by 2012. The Bureau Director would like to invite UW faculty representatives to a Board meeting to discuss how their AuD program, which should be in place by 2007, will affect the Department's licensing provisions. This would also be an opportunity for the University to share their expectations of the Department. The Bureau Director also discussed what this may mean for access to care. A concern is that because AuD educational requirements are greater than those for the Masters programs, fewer people may continue in the AuD program than under the Masters program. This would also be a good opportunity to explore legislative or rule change requests that may be required at a later date.

MOTION: Michael Thelen moved, seconded by Alma Peters, in favor of the Bureau Director inviting a representative of the UW-Madison Department of Communicative Disorder to the next HSEB meeting to discuss licensure requirements for the AuD Program. Motion carried unanimously.

**SUMMARY REPORTS ON PENDING COURT CASES, DISCIPLINARY CASES,
ADMINISTRATIVE RULES AND LEGISLATION**

Noted.

LRB 2943/1 – DISCUSSION AND VOTE

The Board discussed language changes in the current draft, equivalency, and reciprocity from other states.

MOTION: Michael Thelen moved, seconded by Joseph Hulwi, in favor of approving bill draft LRB 2943/1 and to move for further action by the legislature. Alma Peters abstained. Motion carried.

FINAL RULE CLEARINGHOUSE RULE 03-025 - UPDATE

The Board noted that the Administrative Rule went into effect 02-01-04. DRL counsel to the Board distributed the latest copy of the rule that can be placed in their code book.

**WIS. ADMIN. CODE RL 4.07 – REVIEW OF SCOPE STATEMENT
AND RULE DRAFT**

The Board reviewed the scope statement and rule draft relating to uniform examination restrictions and other penalties for applicants who cheat on examinations. After a brief

discussion, DRL counsel to the Board suggested that any comments or concerns be sent to the Department.

INFORMATIONAL ITEMS

Noted.

CONTINUING EDUCATION COURSE APPROVALS

MOTION: Alma Peters moved, seconded by Joseph Hulwi, in favor of approving the CE request from Covenant Rehab Services for the course on Functional Goal Writing. Motion carried unanimously.

MOTION: Michael Thelen moved, seconded by Joseph Hulwi, in favor of approving CE request from the Center for the Deaf and Hard of Hearing for the courses Cochlear Implant Systems & Functions and Spoken Language Module. Dr. Kupperman abstained. Motion carried.

CLOSED SESSION

MOTION: Joseph Hulwi moved, seconded by Michael Thelen, to convene to closed session to deliberate on cases following hearing (Wis. Stat. § 19.85 (1) (a)); consider closing disciplinary investigation with administrative warning (Wis. Stat. § 19.85 (1) (b)), and Wis. Stat. § 440.205); consider individual histories or disciplinary data (Wis. Stat. § 19.85 (1) (f)); and to confer with legal counsel (Wis. Stat. § 19.85 (1) (g)). Motion carried by roll call vote: Terrence Greenleaf-yes; Steven Harvey-yes; Joseph Hulwi-yes, Gerard Kupperman-yes, Alma Peters-yes; William Starke-yes; Michael Thelen, Au.D.-yes.

Open Session recessed at 3:15 p.m.

RECONVENE INTO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

MOTION: Steven Harvey moved, seconded by Michael Thelen, to reconvene into Open Session at 3:32 p.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

EXAMINATION QUESTIONS – NANCY STEFFEN

MOTION: Steven Harvey moved, seconded by Michael Thelen, in favor of DRL counsel to the Board writing a response letter to Nancy Steffen relating to examination questions. Motion carried unanimously.

COMPLETION OF AND RELEASE FROM IPP PROGRAM - # 289

MOTION: Michael Thelen moved, seconded by Alma Peters, in favor of releasing IPP # 289 and authorizing Deanna Zychowski to write a letter advising # 289 of the release from IPP. Motion carried unanimously.

PROPOSED DECISION – MICHAEL D. MCCORMACK, LS0311111HAS

MOTION: Joseph Hulwi moved, seconded by Michael Thelen, in favor of approving the proposed decision in the matter of Michael D. McCormack (LS0311111HAS), and grant him a temporary permit contingent on meeting all other requirements. Gerard Kupperman abstained. Motion carried.

EXAMINATIONS

MOTION: Michael Thelen moved, seconded by Joseph Hulwi, to grant licenses to those who passed the examination and met all other requirements. Motion carried unanimously.

ADJOURNMENT

MOTION: Michael Thelen moved, seconded by Terrence Greenleaf, to adjourn the meeting at 3:37 p.m. Motion carried unanimously.

NEXT MEETING DATE: MONDAY, MAY 3, 2004